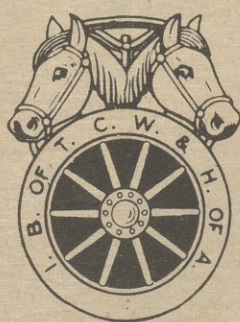
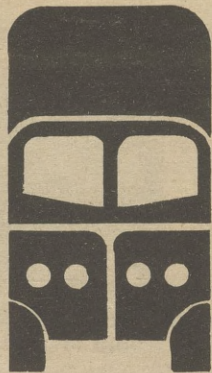


Serving more than 100,000

teamsters & their families

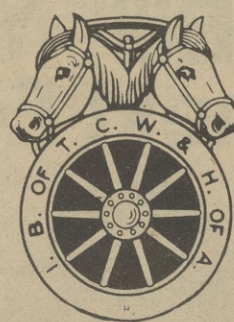


NORTHERN



CALIFORNIA

TEAMSTER



VOL. 24, NO. 24

530

NORTHERN CALIFORNIA, DECEMBER, 1979



Xmas in Sanger

King warns of strike importance

It looks like less than a merry Christmas in Sanger for striking Teamsters at the Seabrook Foods plant there. More than 80 per cent of the pre-strike labor force have been out since last October 9.

More than Sanger is involved in the strike there, according to Secretary-Treasurer Dick King of Local 912 in Watsonville.

"Every cannery and frozen food operation in the State is watching Sanger to see how strong we are," King said grimly. "We are slowly being gobbled up by the conglomerates."

Violence has already marked the bitter strike against the notoriously anti-union company operating the plant near Fresno. Last month the running down and injuring of a picket and the early morning shotgun blasting

of a mobile house being used by Local 912 as a picket headquarters were reported.

Big outfit

The plant is operated by Seabrook Foods which, in turn, is owned by Springs Mills Inc., a major textile and frozen food firm in the South. It has 22 U.S. plants turning out woven and non-woven fabrics and frozen foods. Its total 1978 sales volume was reportedly \$684.8 million.

Teamsters, their families, their friends, and all Organized Labor families should take note of the brand names and labels of this viciously anti-union giant corporation and boycott them. The brand names merit the same type of ban on purchasing as do Coors, J.P. Stevens, and PPG (Pittsburgh Plate Glass).

Page 3

Picket case

Key ruling for Union

In what has been hailed by Oakland Teamster President LeRoy A. Salido as a "landmark decision" obtained by Attorney Ed Kovach, Arbitrator Herman M. Levy ordered Local 588 member Phillip Willis reinstated to his delivery job with Laura Scudder's with full contract rights and back pay from the date of his discharge.

In November, 1978, Willis was fired by the Scudder firm for refusing to make deliveries to two Safeway stores on his route because he knew Safeway was then involved in a labor dispute with the Teamsters. Pickets had been taken off Safeway and concentrated on Lucky Stores.

Postponed

The scheduled special meeting of California Teamster locals on the deregulation problem, scheduled for last month in Sacramento, was cancelled and will be held at a later date, Jack Goldberger Chairman of the California Teamsters Public Affairs Council, announced.

No picket line

The company claimed Willis had violated the collective bargaining contract between the union and Safeway because there was no picket line at the stores when he refused to make his deliveries.

The union claimed Willis had exercised his right not to enter the Safeway property according to the picket language in the contract.

Page 8

Deregulation

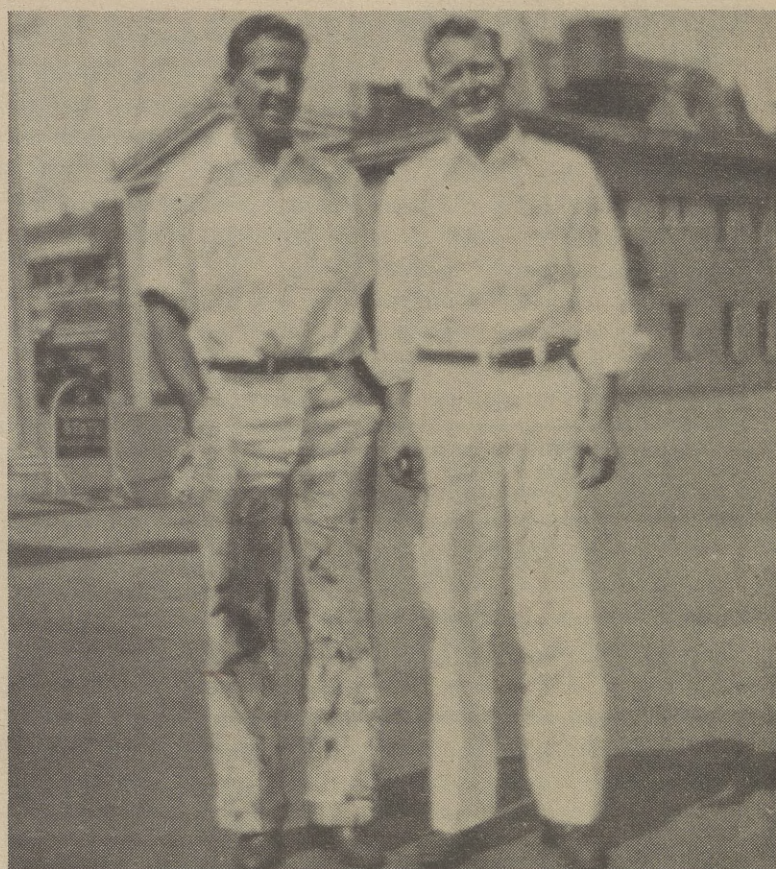
Senators hear Mack

Local 70 Secretary-Treasurer Chuck Mack appeared before the U.S. Senate Committee on Commerce, Science and Transportation, chaired by Senator Howard Cannon (D-Nev.), this past month. Cannon was conducting a hearing on trucking deregulation in San Francisco.

Page 8

INSIDE

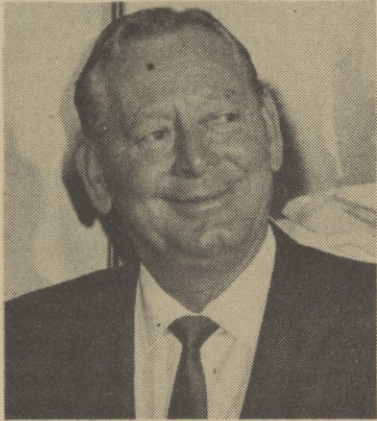
Bulletin Board	6
Deaths	7
Editorial	4
Goldberger	2
Legal Corner	7
Special Report	5
Tham	4



GUESS WHO — The time is 1937. The place is a service station at Golden Gate Avenue and Van Ness Avenue in San Francisco, a block from City Hall. The young station attendant on the right joined the Teamsters Union shortly after the snapshot was taken. He made the right move. See Page 2.

Teamo since 1937

"Bill" York to retire next February 1st



York

William F. "Bill" York, one of Northern California's best known and most popular Teamster leaders, has announced his retirement, effective next February 1.

Secretary-Treasurer of Teamsters Automotive Employees Local 78 in Oakland since 1947, York has been a member of the Joint Council 7 Executive Board since 1960 and a member of the Western Conference of Teamsters Policy Committee since 1972.

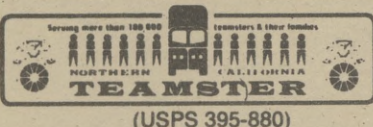
Early years

He has been a union man since the 1930s when he belonged to the musicians union and the typographers union in Ohio.

York was born in Kentucky, but was raised in Cincinnati, Ohio. When he was only eight years old, he was selected to be the batboy of the Cincinnati Reds baseball team of the National League. In this envious role, he was a teammate of such famed major league stars as Pitcher Adolph Luque and Outfielder Carl Mays.

Sax man

After graduating from high school at the Ohio Soldiers and Sailors Orphan Home in Xenia, Ohio, he went to work as a linotype operator at the Cincinnati Post. He also "moonlighted" at the same time as a saxophone player in a dance band.



(USPS 395-880)

The Northern California Teamster is a monthly publication of Joint Council No. 7 and Joint Council No. 38 of the International Brotherhood of Teamsters, with editorial offices at 25 Taylor Street, Room 720, San Francisco, California 94102, telephones (415) 885-4969 and (415) 885-4970.

POSTMASTER: Please send Form 3579 to Robeck's Mailing Service, 220 North First St., San Jose, CA. 95113. Second class postage paid at San Francisco, California, and at additional mailing offices.

York went west in 1934, coming to San Francisco. He worked in service stations and parking garages. In 1936, he had a serious automobile accident, breaking his back, neck, shoulders, and right foot. He wound up spending a year in San Francisco General Hospital to recover.

Joins Teamsters

York joined the Teamsters in 1937 when he was hired as an organizer by Local 665 Secretary-Treasurer Arnold Moss. Subsequently he became Business Agent and President of the local. He was appointed in 1947 as Local 78 Trustee by International Representative Bill Conboy. That same year he was elected Local 78 Secretary-Treasurer.

Other Teamster leadership posts held by York were Co-chairman of the Teamster-Automotive Machinist Jurisdictional Committee and Secretary of the Automotive Trades Division of the Western Conference of Teamsters. Positions he currently holds include Co-coordinator of the Western Conference of Teamsters Automotive Division and Trustee on the Automotive Industries Health and Welfare and Pension Trust.

York has been a member of the San Francisco Elks Lodge No. 3 since 1942 when he was sponsored by the late Teamster International Vice President Joe Diviny. From 1970 to 1974, York served on the Oakland Manpower Commission.

Busy

In spite of his 1936 automobile accident, York has maintained his interest in horse racing, football, and baseball. He has continually been active in organizing youth athletic programs.

A great sports fan, he is a familiar figure at Northern California arenas and stadiums.

Today, the smiling, distinguished-appearing, and white-haired Teamster leader continues to emphasize the same theme he has always pushed in political, social, and religious fields during almost half a century.

"You can live without a union," he says simply, "but not as well."

50,000 die on roads

Highway deaths in the United States totaled 50,145 in 1978, according to the Department of Transportation. Half of the victims were younger than 30.

I think Labor should get together politically.

There are many people in Labor who like to be appointed commissioners on a major commission and they support certain politicians. Personally I don't think we should worry about what politicians will do for us. When they say they are going to do something, we should hold them to their word. If they fail us, we should do everything in our power to turn them out of office the next time around.

However, the only way you can beat them is if Labor unites. You won't do it in the ways that maybe I talked about in the past, or the ways George Meany talked about, or the ways that maybe Jimmy Hoffa talked about. There has to be a productive approach and program. We should find it. I think Labor can find it if we use good common sense.

Willing to fight

Using common sense is better than any college education. We from the hard school of labor union organization are all supposed to be "street smart." I think we are smart. And our members are not fools; they are intelligent. Some may lack a formal education, but they are sharp. They know what they want. They know what they are willing to fight for, and they don't care what it costs. They are willing to fight to make sure that we, in the Labor Movement, can live for a long time. And that our children, in future generations, can have the same good things that we have been able to enjoy.

Iran and the politicians

It seems to me that we have been making a lot of statements about Iran, but we are not examining closely what the politicians, the F.B.I., and the Internal Revenue Service are doing to the American people. I agree that Iran made a big mistake in the methods they are using. But we also make mistakes in this country of ours.

Believe me, I love this country, but why do we allow these government bureaucrats to treat us like we are nothing but peons. I pay my taxes like anyone else. I disagree with some of the taxes we have. As an American, I have that right to disagree.

However, if you disagree too much, you will immediately be singled out. You are put on the so-called list and they keep after you, year after year. We have too many cases of this type that can illustrate this throughout the country.



It Seems To Me

by Jack Goldberger
Joint Council 7 President

Badge flashing

A good example: When the F.B.I. wants to talk to a representative of a union, agents flash their badges and immediately the office staff gets all excited. Then the story begins to travel that this officer is being investigated by the F.B.I. Or, if an IRS agent walks in and flashes his badge, immediately the story travels around that this or that officer is being investigated by the Internal Revenue Service.

I don't see the same vigor displayed where certain corporations are concerned. Take a look at the oil industry again, for example. The oil companies claim they spend all their money, but they conceal the reality that this is a lot of humbug. Did anyone ever investigate this claim? This is a question I would like to have answered.

Action needed

I say to you, part of the American public, that you should do something about it. Try to get your congressman, assemblyman, state senator, or anybody in government to take up the cause.

I have asked time and time again: Has anyone investigated the General Service Administration? If there is an investigation, it sure is a hidden thing. I have not heard anything more about it since I first mentioned it. Congressman John Burton did try to make an issue out of it, but they silenced him. How did they silence him? I don't know. Perhaps he received threats from some part of government. He is only a congressman. Congressmen in the city of Washington are a dime a dozen as far as these bureaucrats are concerned.

Or take the State of California. You have an insurance commission. Did you ever have a fire with damages, or were you in your care when somebody rear-ended you? Your car insurance premium goes up. Instead of having \$100 or \$200 deductible on your home or car, they make it \$500 or \$600, and still raise your insurance premium. There have not been investigations of the insurance companies, just as there have not been of the oil companies, and I don't see any investigations in sight.

Powerful lobbies

These lobbies for these industries are so strong and so powerful today that I don't think anyone in the newspaper industry, or in radio or TV, takes them on because of the potential threat of being investigated by the IRS or F.B.I., or some other government agency. This, in turn,

creates the feeling in the general public that when a column is written, or a commentator makes a statement on the TV or radio, you are not receiving all the facts. They give you only their opinion. Not facts.

Proposition 13

It seems that the politicians have found a loophole in California's Proposition 13. Regardless of what the proposition calls for, they are still passing bills for additional taxes on the people. On you, the little person just barely able to pay your present taxes.

We need attorneys to protect us. But how can the ordinary individual protect himself if he cannot afford to hire an attorney? I don't know how the average individual can afford to disagree with the IRS on a matter of whether deductions were proper or improper. The cost of fighting the government agency becomes too costly.

I think it is right that we should have the privilege to disagree and the right to fight. However, I don't think we should have to be destitute because of the costs involved in the fight before we can satisfy people in the IRS or the other bureaucratic organizations.

Like negotiations

This reminds me a great deal of negotiations. You come to an understanding. But when it comes to reducing this to language, you find that a difference of opinion exists. You may have agreed in principle, but the union representative wants to write the language in his way of thinking and the employer wants it the way he understands it. This is also a matter of interpretation because if you go to a dictionary, you will find that there are numerous words that can be interpreted differently.

So throughout the years, we have agreed that when we disagree in negotiations, we go to a so-called standing committee, or a grievance committee, to present our case. If we still don't agree, we go to arbitration. Arbitration is fine. I don't quarrel with it, but I don't like compulsory arbitration. Arbitrators always seem to act the same as a government agency acts—on the basis of, "Hey, let's find a middle ground."

How do you find a middle ground? By giving a little bit and taking a little bit. This is the answer. However, you can do this in negotiations without spending all those thousands of dollars for arbitration.

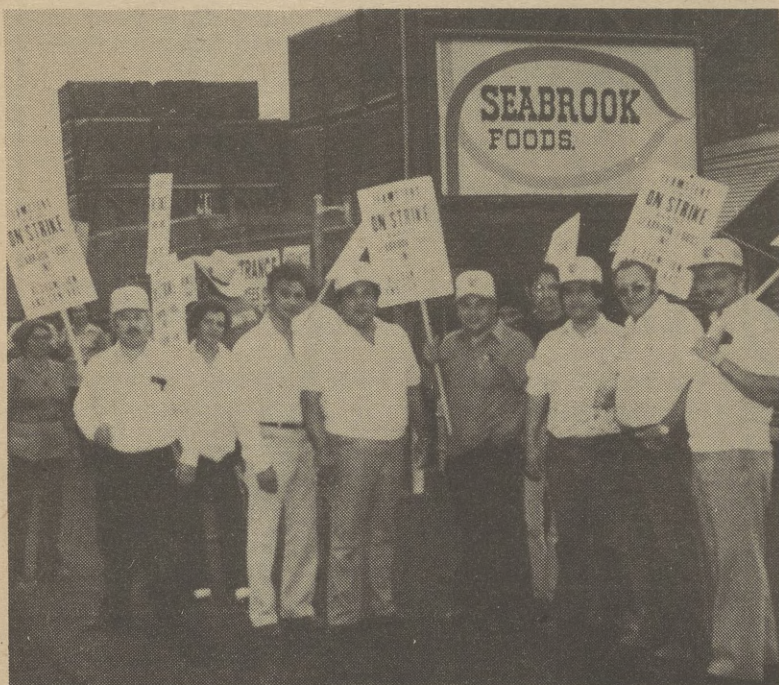
Thank you, and I wish you a Merry Christmas and a Happy New Year.

Sanger

(from Page 1)

Remember these brand names and avoid them:
Fabrics: Spring Maid, Skinner, Ultrasuede.

Frozen Foods: Seabrook Farms, Snow Crop, Glacier, Chill-ripe, McKenzie's, Gold King, Carnation (sea food), Kitchen Ready (sea food).



ON DUTY—Left to right in front row are: Mario de la Garza, Mary A. San Miguel and Raul Hernandez of San Jose Local 679; Richard Cuevas, Modesto Local 748; Gil Garcia, Local 679; David Montoya, Local 748; Jim Henry, Local 679; and Frank Cruz, Sacramento Local 857.



VIVA LA HUELGA!—These four pickets supported Local 912. "If they spoke Russian, I could have gotten their names," Photographer Alex Luscutoff of Local 857 said.

Mock cited for service

First International Vice President George E. Mock of Sacramento, pioneer chairman of the Teamster National Warehouse Division, was given a special award at the division's 30th meeting recently in Florida.

A resolution praising the work done by Mock and International Vice President Harold Gibbons, who succeeded Mock as division chairman was unanimously adopted by delegates to the Florida meeting.

The current division chairman, IBT Vice President Robert Holmes, presented the special awards to Mock and Gibbons.

A letter

November 8, 1979

Mr. Jack Goldberger, President
Teamster Joint Council 7
San Francisco
Dear Mr. Goldberger:

Your assistance in settling the teachers strike was invaluable. You helped us break a deadlock that had become destructive not only for teachers, but for students and the entire community.

Thank you for your help during the crisis and for your continuous support of public education in San Francisco.

Sincerely yours,
Robert F. Alioto,
Superintendent of Schools
San Francisco Unified School District

Teamsters on the Move

Compiled by Dorothy Keane

Negotiations

New collective bargaining agreements, gaining wage increases, cost-of-living allowances, and improved fringe benefits have been successfully negotiated by Local 350 with the Daly City Scavenger Company, Coastside Garbage Company in Pacifica, and the Los Altos Garbage Company and Foothill Disposal Company, both in Mountain View, according to Secretary-Treasurer **Bob Morales**.

A wage increase of \$2.37½ per hour over three years for 26 members of Local 137's Eureka Division was negotiated with the Simpson Timber Company by Business Representative **Joe Davis** and a negotiating committee including **Ed Reidel, Ronnie Wilson, Blayne Jenks, and Woody Mattingly**. The strike-averting agreement included three pension increments, an improved vacation formula, two

additional holidays, and an improved Health and Welfare Plan.

Organizing

Local 853 Secretary-Treasurer **Al Costa** reports that the Local's organizing team of **Rome Aloise and Ernie Souza** has been successful in two more N.L.R.B. elections. These bring their consecutive string of victories since 1978 to nineteen.

Esseltie-Pendaflex, a Swedish-owned company that deals in production of films and tapes, was organized by Aloise and Souza with a unanimous favorable vote of the employees. The company is located in Emeryville. A vote of 14 to 7 at Dorfman-Pacific Company in Oakland brought 25 more members to Local 853. The company deals in specialized apparel, including custom jackets, hats, and T-shirts. Aloise and Souza are currently in negotiations with both firms.

ABOUT WITHDRAWAL CARDS

A union member must request a withdrawal card from his or her local no later than 90 days after the date on which the member wants the card to be effective. Dues must be fully paid up to the date of effective withdrawal. In other words, you have 90 days after leaving your job in which to request a withdrawal card without having to pay additional dues. It is recommended that you make the request early enough before the 90 days end in order to give your local's office sufficient time to process the withdrawal papers.

Wage panel

Fitz named to President's Pay Advisory Committee

WASHINGTON, D.C. — (TNS) — Teamster General President Frank E. Fitzsimmons is one of six union leaders named to the Carter Administration's new "Pay Advisory Committee."

The committee is composed of 18 members equally divided among labor, business and the

public. The purpose of the panel is to advise the Administration on the operation of its wage guidelines program.

Besides Fitzsimmons, the other labor members of the committee are: Lane Kirkland, secretary-treasurer of the AFL-CIO; Douglas Fraser, president of the United Auto

At Simpson

"Best ever" contract for Local

In Local 137's first strike against the huge, multi-million dollar Simpson Building Supply firm in Arcata, members employed at the timber company won their best contract ever, Secretary-Treasurer **Frank M. Wood, Jr.** reported.

Negotiator **Steve Ruckle** said the sixteen-day strike was necessary because "there was no alternative, and it proved to be well worth it."

The settlement was ratified by a more than two to one margin. It provided for an approximate 35 percent increase in wages which are tied to a complex formula for the second and third years, an immediate 33 percent increase in Health and Welfare benefits, two additional holidays, and increases in pensions, funeral leave, and paid breaks.

"Important inroads were also made through many language changes designed to limit management prerogatives and strengthen seniority rights," **Wood** said.

Negotiator **Ruckle** said "our relatively small local was able to take the fight to Simpson because of the tremendous support we got from our sister locals."

Ruckle identified Seattle Local 174, Long Beach Local 692, San Jose Local 296, and Joint Council 7 for fraternal thanks. "Special kudos go to Dave Torre of Local 296 in San Jose for lending his experience and personal efforts toward the victory," **Ruckle** said.

Workers; William Wynn, president of the United Food and Commercial Workers; Floyd McBride, president of the Steelworkers, and John Lyons, president of the Ironworkers.

John Dunlop, former Secretary of Labor, has been appointed chairman of the committee.

TEAMSTERS ALCOHOL PROGRAM

Supported by Joint Council No. 38
Chuck Covey, Coordinator, Member Local 150

(All Contacts Completely Confidential)

The purpose of the Teamster Alcohol Program is to provide factual information regarding alcoholism and chemical abuse.

When drinking begins to cause problems, it has become problem drinking. Termination of employment and family breakup is not the answer as 70% of all alcoholics recover when properly treated.

For free consultation, family program, and insurance information, contact:

Chuck Covey, Coordinator (916) 929-5383
Tom Meagher, Starting Point (916) 929-5383



Report unsafe conditions

Guest Editorial

The union is us

by Gus Duesdieker,
Secretary-Treasurer, Teamsters Local 226

The coldness of a valley morning aborning, stealing the warmth from your feet, slowly penetrating the very fiber of your body. At last the fingers of rose in the eastern sky, to give us new hope for a day.

Or the sudden drenching of an autumn rain, relentless against the handful, only prepared for showers.

Weather adversity, yes, taken in stride.

Whether adversity shall forge a new unit in the frozen food industry at Sanger, time can only tell.

To have walked on the picket line with the proud Mexican people, who voted for and won the right to representation, not only betrayed by the employer and his legal maneuvering, but by their fellow workers, who voted for the Union, when the picket lines were posted, walked right through them.

The call went out for help, for the spark of Teamster Unionism was there.

Those of us that went there, have been there, or are going there are deeply dedicated to helping our Brothers and Sisters, for this is the school of the Trade Unionist, the bitter, hard, unrelenting duty of a 24 hour-a-day, 7 day-a-week picket line.

Thus we come to the wheel of our emblem.

We as members, cohesively, are the hub of that wheel, forged as it were, to exert our collective power, through the spokes, representing the different divisions or crafts, to the rim of the wheel.

Slowly, spurely, and steadily it has moved through the sands of time, leaving its mark, with improved working conditions, seniority, economic gains, and within the last 25 years or so, the social gains of Health and Welfare coverage and pensions.

Look not to the right or to the left, as an individual, with ME, as the only recipient of the gains made by your Teamster Local.

Sit down and on a piece of paper, figure what you had before you became a Teamster. Keep this scoreboard on a year to year basis, and ME, becomes unimportant. For it is the unity of the wheel hub that gives US strength, and our gains.

Always remember from the day you are organized, or become a Teamster, THE UNION IS US.

Washington Scene

Outdistanced

Inflation way ahead

WASHINGTON, D.C. — (TNS) — American trade unionists have sacrificed more than their share in the nation's fight against increasing inflation.

Latest government figures show pay increases negotiated in union contracts this year are running at about half the expected 15 percent inflation for all of 1979.

Major collective bargaining settlements in the first nine months of 1979 provided wage gains of an average 7.5 percent — a shade under the 7.6 percent average increase for all of 1978.

The figure calculated by the Department of Labor is based upon 414 major agreements negotiated by various unions on behalf of more than 2.6 million workers.

Oil companies

U.S. asks to see books

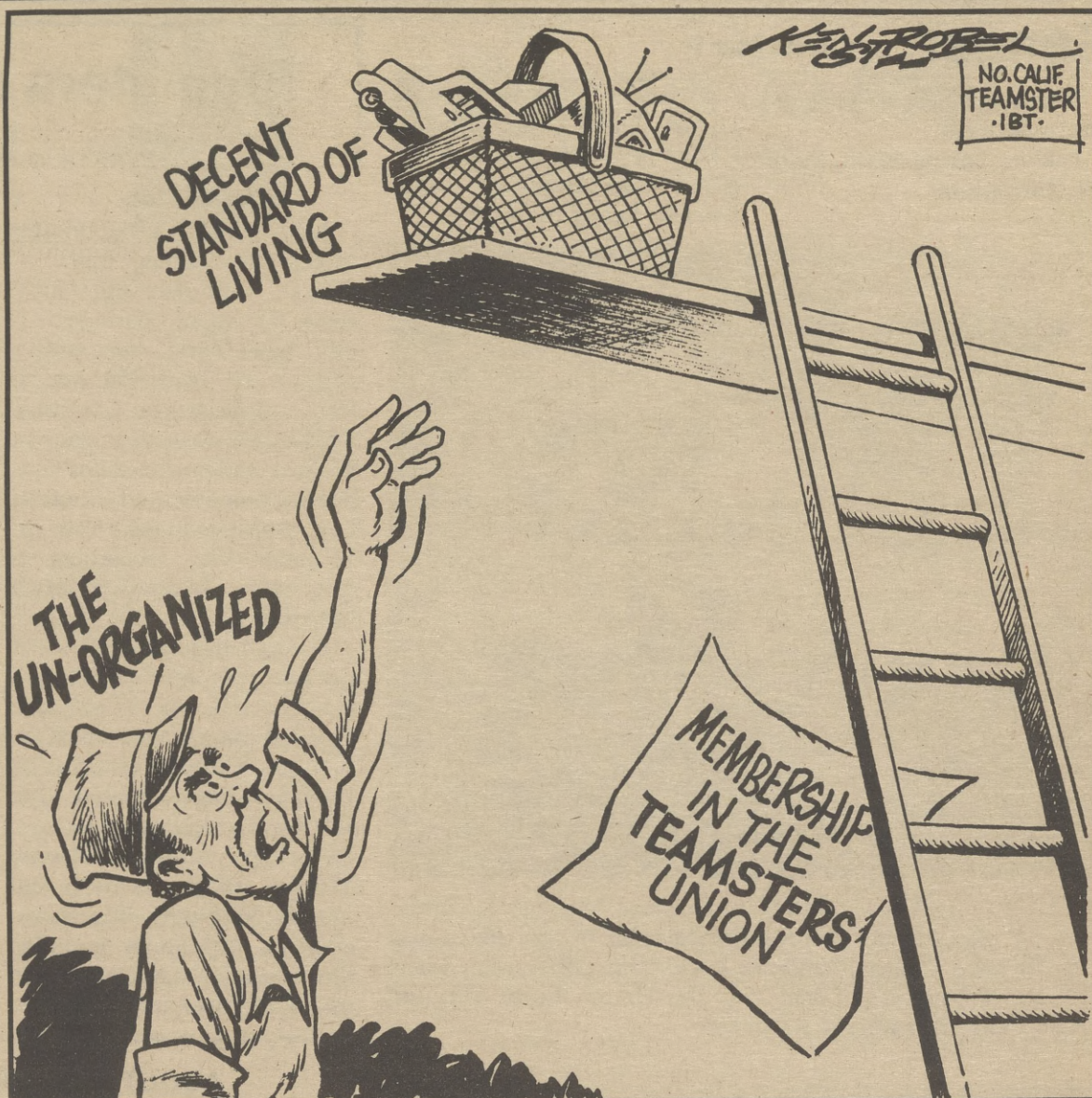
WASHINGTON, D.C. — (TNS) — Unreasonably high oil profits have prompted the federal government to demand profit data from 20 American oil companies.

The Council on Wage and Price Stability requested the most recent cost and pricing data from the oil giants so as to determine if they have violated anti-inflation guidelines.

The demand came after several major companies reported

unexpectedly high profit increases for the third quarter of 1979, including: Texaco, 211 percent; Standard Oil of Ohio, 191 percent; Conoco, Inc., 134 percent; Mobil, 131 percent, and Exxon, 118 percent.

In almost each instance, the companies claimed their high profits over the same third quarter in 1978 were a result of "foreign" investments and marketing.



General Organizer's Comment

by Rudy Tham

As the year of 1979 draws to an end, I want to first wish each and every one of you a most happy and joyous Holiday Season. Secondly, I wish to also thank all of you for having played a major role in the overall welfare of the Teamsters Union during this past year.

By and large, we in the Northern California Teamster Local Unions feel our Teamster members are second to none; they are the finest, most loyal and supportive to be found anywhere in the United States.

A beginning

Of course, the year of 1979 marks not only the end of a progressive, innovative decade, but the beginning of one that will call upon us as union members and above all Americans, to find new ways to keep us abreast of a changing world.

With the rampant inflation and unprecedented energy problems, we enter 1980 hesitantly, perhaps expecting the worse, yet still looking for the "light at the end of the tunnel." It surely is no time to despair; it is rather a time to first renew our faith in America and resolve to fight back and put our Country's economy and energy policies on the right track.

We are first American citizens, and secondly,

Social Security

Ceiling raised for earnings

WASHINGTON, D.C. — (TNS) — A new "earnings policy" in determining benefit ceilings has been announced by the Social Security Administration.

To go into effect next January 1st, the policy raises to \$5,000

the amount people 65 to 71 years old can earn annually without losing any of their Social Security benefits.

For people under 65 years of age, the annual earnings level will rise to \$3,720 before re-

ductions are made in benefits.

Benefits will be reduced \$1 for every \$2 of earnings exceeding the ceiling — except in the case of beneficiaries 72 years of age and older who can earn any amount of money annually.

Teamster Union members who have a vital stake in our Country's future. As the largest and most diversified International Union in the United States, we play an integral role in our Country's economy. It is therefore to our own best interest that we help move our country ahead into the 1980s on a positive note.

Look forward

As you join with your family, relatives and friends this holiday season, I urge you to take a moment to reflect back on not only 1979, but the entire decade of the 1970s; count your blessings, your achievements, and yes, even your mistakes and problems. Then, resolve that 1980 and the ensuing decade will prove to be a better one than that which preceded. You can make it all happen; all you have to do is try, nothing more, nothing less.

I have purposely made my holiday message to you brief and to the point. For this is traditionally the one time in the year we do not wish to be overburdened by deep, serious thoughts. The over-riding ingredient to a successful holiday season is happiness, laughter, and love of family and friends. So, I will sign off wishing you and yours a Merry Christmas and a Happy New Year.

Local 70 News

70 Hegenberger Road, Oakland, Calif. 94621

December, 1979

Phone 569-9317

A Section of The Northern California Teamster

4-1 vote

Membership OK's picket program

Members of Teamsters Local 70, at a special-called meeting in late October, approved a proposal establishing a picketing-organizing program for our Union.

The approved proposal makes it mandatory for members to stand picket duty on dates assigned by the Local. If they fail to stand their assigned duty without good reason, they then are assessed a day's pay at the dock rate under the Fright Agreement.

Organization effort needed

The program was adopted overwhelmingly by the members who attended the Saturday meeting. This was in recognition of the fact that there needs to be a real effort put forth to organize unorganized workers, as well as a program of membership participation to protect the wage gains and benefits we have won in collective bargaining

agreements where the employers we have won such gains from decide to "try us on for size."

Pick committee

The proposal was approved by a more than four to one vote. The members attending the meeting selected a seven-man rank-and-file committee comprised of Bud Pratt, Dan Varela, Pete Gemma, Dennis Miller, Jack Sweeney Sr., Jim Valjalo and Bob McAlister to work with the Executive Board in formulating rules and procedures for the program.

Stewards responsible

Adoption by the membership culminates a year-long effort to approve the program that has already been adopted by Teamster Locals 85 and 468. Pete Gemma, Steward at Nielsen; Dan Varela, Steward at Garrett, and Dennis Miller, Steward at

Page D

Deregulation

Job loss warning

Deregulation in the trucking industry is a serious problem not only for the Teamsters Union, but for all Organized Labor, Teamsters Local 70 Secretary-Treasurer Chuck Mack recently told officers and delegates at the monthly meeting of the Northern California United Food and Drug Council.

"With the Teamsters, if the proposals being offered by Senator Kennedy and President Carter are adopted nationally, it could have thousands of their members displaced across the country by non-union labor," Mack said.

No support

"If non-union drivers operate equipment, they are not going to support the picket lines of any other trade union, and hence, pickup and delivery is going to be made across the picket lines established by other Unions outside the Teamsters.

Page B

Repeat run

\$10,000 estimate on President vote

The re-run election for President in Local 70 has been set for December 7th and 8th, 1979.

The election for President was ordered to be re-run by U.S. District Court Judge Spencer Williams earlier this year. Williams found that, because an employer's trailer was parked across from the Union Hall on election day and had signs advocating the candidacy of approximately twenty candidates, the election for President must be re-run.

Mystery

How Williams decided that the presidential race only should be re-run and the race for other posts should not is still a mystery. The trailer parked across from the Union Hall was

placarded with signs for every office open for election.

The Department of Labor is supervising this election. It will be the same type election that was held approximately two years ago. Members will vote by machine at the Union Hall on two days — Friday, December 7th, and Saturday, December 8th. There will be no nominations, and the three candidates who ran for President in 1977 will be automatically on the ballot. Those candidates are Marv Kaylor, Art Mahoney and Jimmy Muniz, the incumbent President.

Appeal

Local 70 has appealed the Court's decision, but under current Federal law the election must be held before the appeal is heard.

The cost of the election to Local 70's membership has been estimated by Secretary-Treasurer Chuck Mack to be approximately \$10,000. With an expenditure of that amount, every member is urged to participate by casting his or her vote in this election.

Local 70's next regular election will be held a year from now, in December, 1980.

found in favor of Rieker, ordered his reinstatement with full back pay and no loss of seniority.

Green Bros. had stopped doing business in July of 1977, and refused to abide by Myers' award. Our Local then pursued the matter through Alameda County Superior Court, and in

Page D

Green Bros.

Rieker back pay ordered

Arbitrator Morris Myers made what is hoped is the final decision in an arbitration case Local 70 initiated in 1976 against Green Bros. Distributing Company when that firm discharged Ron Rieker.

Green Bros. was formerly under contract to Local 70 for a liquor distributorship operation out of San Leandro. The company discharged Don Rieker in late 1976, and Local 70 proceeded through the grievance procedure to arbitration.

Payment ordered

Myers, in September of 1977,

NOTICE

At the Membership Meeting of October 26, 1979, the following Resolution was adopted by secret ballot vote:

PICKETING/ASSESSMENT/ORGANIZING PROPOSAL

1. That each member of the Union shall make himself or herself available for one day's picket duty to the Union; or in lieu thereof pay an assessment equal to one day's pay at the day dock rate under the National Master Freight—JC-7 Pickup and Delivery Supplement.
2. That such picket duty or assessment shall be scheduled in accordance with alphabetical order of the membership and according to Union needs, but shall not be repeated until the membership roster has been exhausted; provided that picket duty or assessment shall not be imposed more than once within any calendar year.
3. The Executive Committee, along with an elected rank-and-file committee of seven members, shall be authorized to establish rules and procedures for said picket duty.
4. All monies collected by virtue of the above assessment shall be used to defray expenses incurred in the administration and operation of the picket duty program.

Your Committee, which is responsible to administer this program, has decided that it will be effective as of January 2, 1980. The program will operate in the following manner:

You will be notified two to three weeks in advance of the week in which you are to serve picket duty.

Upon such notification you will be given opportunity to select a first, second, third choice, etc. as to the day in the week in which you will serve. The committee will make every effort to accommodate your choices. They then will notify you of the particular day you are to report.

You must make appropriate arrangements with your employer to be off on that day. Depending on your particular contract, you may take the day as a Floating Holiday, Vacation or as Personal Leave.

In the event you fail to serve picket duty in accordance with the program, you will be assessed as provided in the Resolution. Local #70 is not interested in collecting money under this program. The purpose is to involve the membership in the Union activity which must be carried on to protect your wages and conditions of employment.

SPECIAL NOTE

If you do not want to wait for your assignment, you can call the Union office any time before the end of the year and schedule yourself for a day of your choice to perform your picket duty.

Dues Payment Notice

Article X, Section 5 (c) of the International Constitution provides that any member who shall be three months in arrears in the payment of dues, fines, assessments or other charges shall automatically stand suspended at the end of the third month, and shall not be entitled to any rights or privileges of membership.

All collective bargaining agreements in Teamsters Local 70 provide for termination of employees who fail to maintain their membership in our Local Union.

Failure to pay dues leads to suspension. Suspension leads to termination of employment. Please pay your dues promptly so that it will not be necessary to suspend and/or terminate you.

No other notice on dues delinquencies is sent to members prior to their suspension.

Executive Board

Secretary-Treasurer
Chuck Mack
Recording Secretary
Joe Silva, Jr.

President
James (Jimmy) Muniz
Vice President
Stan Botelho

TRUSTEES

Art Soto Jack Spratt Ron Rocha
Conductor, Mel Baptiste Warden, Harold Marks

Steward's Corner

By Steve Mack

This month's article features the Day Stewards at Consolidated Freightways in Berkeley.

Ray Santos

The Chief Steward there is Ray Santos. Ray has worked at C.F.W. for ten years; and during that time he has worked nights where he has been the safety man.

Since becoming the Chief Steward at C.F.W.'s Berkeley terminal, Ray has done an excellent job at making the Company live up to the terms of the contract.

Mrs. Santos answers to the first name of Carol, and she and Ray have three daughters—Sherry, 19; Christine, 17, and Roxanne, 13. The family resides in San Leandro, where Ray grows much of his own produce and vegetables. Included in his

other hobbies is handicapping horses.

Danny Hernandez, Jr.

Assistant Steward to Ray is Danny Hernandez, Jr. Danny has worked at C.F.W. for two years. Prior to that he worked at Ameron.

Danny has acquired the knowledge it takes to be a good Steward very quickly, and that's probably because he has a good teacher. His dad, Danny Sr., is the Steward at I.M.L. Freight.

Danny and his wife, Vicky, are the doting parents of a lovely baby daughter, Sabrina, who is six months old.

Both Danny and Vicky enjoy water skiing, and they have a beautiful jet ski boat which they tow with their van to their favorite spots whenever they can get away.



Left to right: C.F.W. Assistant Steward Danny Hernandez, Jr.; Business Agent Steve Mack, and Chief Steward Ray Santos.

LOCAL 70 BOYCOTT LIST

DON'T BUY COORS BEER . . . OR PURCHASE PRODUCTS MADE BY P.P.G. INDUSTRIES, more commonly known as PITTSBURG PLATE GLASS.

P.P.G.'s readily identifiable products are:

Xerex Anti-Freeze Coolant
P.P.G. Paints
P.P.G. Glass
P.P.G. Insulation

P.P.G. is unfair to Teamsters Local 391 in Greensboro, North Carolina, Local 391 won an N.L.R.B. election for 1,500 employees at P.P.G.'s plant in Lexington, North Carolina, and the company has adopted a J.P. Stevens approach to the Teamster organizing effort. They currently are refusing to negotiate.



Holiday G

The officers, officials and staff of Local 70

their families a Merry Christmas and a

Mack

(from Page A)

"Deregulation also creates serious problems in service and truck safety, and has—as more trucks are allowed on the highway—very negative implications for energy conservation," Mack told the delegates.

No savings

"Contrary to the arguments of proponents, deregulation will not save the consumers billions of dollars. That idea is based on the assumption that if there are any savings by deregulation, the large shippers will pass them along to the consumers. If there are savings, they sure are not going to be passed along. Proposition 13 in California is a case where there were large savings made by large corporations . . . but their savings are not being passed along to the consumers. There is little doubt in my mind that there are not any great savings to be made by deregulation; and, in the long run, costs could be significantly higher than they are now, as the large carriers gobble up the small ones in the cut-throat competition which would exist.

"The transportation system that we have is a good one," Mack said. "It serves its employees, the industry and the consumers well. We in Organized Labor should be particularly cautious about such changes because they have significant implications for the entire Labor movement."

Census information is supposed to be kept confidential for 72 years under federal law.



President's Report

By the time you receive this paper, Local 70's special election for President will be history.

I urge that those who campaigned and had fault to cast on our Local, put some of that same effort into our Local for the betterment of all our members. This can be accomplished by attending Stewards and/or General Membership meetings, and by submitting in writing any constructive criticism. With the many problems facing unions today, we should not have members fighting against members. This has a tendency to weaken the labor movement. We should all join together and work towards the building of a stronger Union for all of our members. We must discuss and work out our problems within this Local if we are to remain one of the strongest unions in this area.

Pension COL

I believe that we should all work together to make a cost-of-living increase to be applied to our Pension plan one of our priorities. Our pensioners are all on a fixed income, and with the cost-of-living continuing to increase at a high rate, those on pensions have less and less buying power.

As you have read in prior editions of this paper, the Health &

Welfare Trustees are still trying to improve the East Bay Drayage Health & Welfare Plan. We are trying to re-establish the orthodontic coverage, increase the present Wage Continuation, increase the R.V.S.—which will pay more on doctors' visits and increase the benefits—and also increase Major Medical. We think we are close to accomplishing these tasks.

Darold Wright

At this time, it still seems as though Darold Wright will be leaving Local 70 as a Business Agent. He intends to return to Fleming Foods where he retains seniority. I am sure that many of us will miss Darold's services as a Local 70 Business Agent, as he has done a great job in representing members and upholding Union principles. This is a decision that he has made, however, to the sorrow of many of us here at Local 70. Good luck to you, Darold!

In closing, I should like to take this opportunity to extend greetings of the season to the members of Local 70 and their families—a very Merry Christmas and a Happy and Prosperous New Year to all.

Faternally yours,
James R. Muniz
President



Greetings

*Local 70 want to wish all of our members and
and a Happy and Prosperous New Year.*

Business Agents

Dick Sarmiento Ed Painter Bob Windsor
Bobby Freitas Dick Durossette Alex Y. Ybarrolaza
Darold Wright Marty Frates Steve Marinkovich
Steve Mack Jack Sweeney, Jr.

Dispatchers

Noel Eben Jim Manning



Secretary Treasurer's Report

Special Election

The date for Local 70's special presidential election has been set for December 7th and 8th, 1979.

Although our Local Union disagrees with Judge Spencer Williams' decision in this case — which required the re-run — and the matter is on appeal, I would urge each and every member to avail themselves of their democratic right to cast a ballot for the person they choose to be President of Local 70.

As I am sure you are aware, the expense of this special election may well exceed that of the last general election. It is just as expensive to run the election for one office as it would be for all offices.

Election results should be available sometime around 6 p.m. Saturday, December 8th.

Viking Organizing

At November's Joint Western Area Committee hearings, California Teamster Locals talked about the efforts being made to organize Viking Truck Lines. The thirteen Local Unions in attendance agreed that a mailing should be made to the employees at Viking, explaining to them the details of the Teamster contract and the advantages of belonging to the Teamsters Union and bargaining collectively with their employer.

It was also decided that any such mailing should include pledge cards, and the Viking employees should be asked to return the cards with the hope that enough cards can be gathered so that a National Labor Relations Board election can be called. California Locals have already gathered a significant number of cards from Viking employees, but we know from discussions that there are a lot of other employees who would sign cards but are fearful the employer will terminate them. It is hoped that a letter to the employees can be mailed within the next month.

I attended a meeting with Viking drivers and Local 150 in Sacramento in early November. The meeting was arranged by Al Bonilla, Local 150 Secretary-Treasurer, and it proved to be informative and somewhat productive. Some of those attending did sign pledge cards. The most effective Teamster organizer, however, is not the union official. It's the member who drives a truck and works the dock. Take every opportunity to speak to Viking drivers and encourage them to go Union.

Freight Health & Welfare

Jim Muniz and I have met with the California Trucking Association over the past month in a continuing effort to improve the benefit levels of our members working under the Freight Agreement.

In a meeting held at the Joint Western Area Committee, we took a big step forward in achieving those ends. We agreed in principle to an improvement in the benefit package. The details of this agreement, however, must be put into writing. The key element now is whether the insurance company which is going to underwrite the program can agree to our terms. If agreement is reached with the insurance carrier, we would be hopeful of proposing a revised program to our Freight members sometime in December or early January.

The program being conceived has significant benefit improvements, but does not provide a drug credit card. Instead, it has a reimbursement program. Before any change is made, the membership who work under the Freight Agreement will have the opportunity to vote on such change.

Picketing Program Adopted

The membership of Local 70 made a historic decision at the special-called meeting in late October when they approved the

Another win

Supply firm goes union

Local 70 was again victorious in a National Labor Relations Board election at Bay Area Pet Supply in San Leandro.

This pet supply firm distributes pet food and other items for all types of pets throughout Northern California. They have four drivers and between thirteen and fifteen warehouse people.

13-3 vote

Business Agent Dick Sarmiento, with the aid of Bob Freitas and Local 70 office worker Blanca Martinez, put together a successful campaign where the employees voted 13-3 for representation by Local 70.

This is the third victory by Local 70 in the past two months.

Selection

Sweeney named director of new picket program on full-time assignment

Jack Sweeney, Sr., former Secretary-Treasurer, Business Agent and Trustee of Local 70, was selected by the Executive Board and Picketing-Organizing Program Committee to direct Local 70's new program.

The program was adopted by the membership at a special-called meeting in October of this year.

Has qualifications

Sweeney currently drives for Delta, and was asked to draft the rules and regulations for the program, subject to final approval by the Committee. In explaining the selection of

Sweeney, Local 70 Secretary-Treasurer Chuck Mack indicated that the Committee reluctantly came to the conclusion there was a need for a person to work full-time on this program. The need to have an individual with experience, with a good background of how the Local operates, a knowledge of today's laws, and the wherewithal to start from scratch and develop a procedure that can work for years on an equitable and fair basis were factors that led the Committee to conclude there was need for a full-time individual — and the individual best suited for the position to be Jack Sweeney, Sr.

Committee appointed

The Election Committee for Local 70's special December, 1979 presidential election will be comprised of the following members:

1. Joe Souza, Chairman
2. Steven Boyce
3. Mal DeCosta
4. Al Ilardi
5. Earl Randall
6. Zack Rocha
7. Merv Vierra
8. Bill Walsh

All of these members served on the original 1977 Election Committee.

SICK BENEFIT FUND

SICK BENEFIT COMMITTEE

Chairman—Ray Arroyo Co-Chairman—Lee Hafley
Recording Secretary—Eugene Derieg
Auditor—George Wells

Members: Frank Arroyo, E.L. "Al" Baratto, Jim Dodge and
Honorary Member Jim Brammell

Monthly Meetings—2nd Tuesday at 7:30 p.m.

Claims for Sick Benefits must be filed at Local 70's office within 30 days of disability.

The Sick Benefit Committee can be contacted by telephone during the day every between the hours of 8:00 a.m. and 4:00 p.m. at 569-7171. Also during the evening of its meeting on the second Tuesday of each month, between the hours of 7:30 and 10:00 p.m.

Reminder—Dues must be paid on a current basis in order to be eligible for Sick Benefits.



Business Agents' Report

by Darold Wright

THIS BUSINESS AGENT'S FINAL REPORT

For those brothers and sisters who have not heard the rumors, I will be leaving office as of the end of the business day, December 31, 1979. I plan to return to my former employer as a truck driver. It would serve no purpose for me to explain why I have chosen to leave as an official of Local 70. However, I would like to make it very clear that my decision has nothing to do with politics. This is strictly a personal matter.

As of the end of the year, I will have been employed as a Business Agent for Local 70, by the good graces of the membership, for a period of seven and one-half years. During that period of time I have been fortunate in that I have been able to negotiate contracts and participate in arbitration proceedings and a multitude of other administrative duties that most rank-and-file members never have an opportunity to even know about, much less participate in. I have enjoyed, and will enjoy until the day I leave, my position as a Business Representative for Teamsters Local 70. I would hope, if the opportunity should present itself in the future, that the membership of this Local Union would consider allowing

me to serve again in a similar capacity.

Will stay active

As a result of the experiences I have encountered as an official of this Local Union, it is my firm belief that as a rank-and-filer I will be able more effectively to communicate to non-union people with whom I come in contact the benefits of belonging to a labor organization such as Teamsters Local 70. I am sure there are some members who would like to see me dry up and blow away once I leave office as a Business Agent. I can assure you, however, that is not my intent. I plan to participate in as many activities as possible that are beneficial to this Local Union, and in particular any activities which are directed toward organizing the unorganized. It is my firm belief that if the average rank-and-file member would say one good thing about his Union for every two bad things he says, we could have half the county under contract with Local 70. As a practical matter, I recognize that it is not possible simply because it is contrary to some people's nature to say anything good about anything, let alone a labor organiza-

tion which does nothing more than provide them with job security, decent wages, retirement benefits and Health and Welfare benefits for them and their families.

Vote this month

You will notice elsewhere in this paper a special notification for a new election to be held on Friday, December 7, 1979 and Saturday, December 8, 1979, for the office of President. I would like to ask the membership of this Local Union to please participate in this election process so that we may make it clear to all who are interested that we don't like the idea of outsiders dictating to our organization—that we previously held our election, made our choice of all officers and officials—and don't particularly like the idea of having to spend our dues money in order to satisfy the hurt feelings of somebody who ran for office and didn't make it.

With these final comments, I would like to extend to you, your family and friends the very best Holiday Wishes—and I look forward to the possibility of again serving this membership at a future date.

Picket

(from Page A)

Delta, authored the proposal that was voted on by the members. They spent a considerable amount of their own time viewing the Local 85 program in operation. They drew on that experience to formulate the proposal

that 70 members approved.

The Committee and Executive Board have commenced meetings to formulate rules of procedure, and will make every effort to put the program into existence as quickly as possible.

Mack Report

(from Page C)

picketing-assessment proposal brought to them. The proposal was similar to one which was rejected by the membership earlier this year, and it will provide the wherewithal to Local 70 to conduct business in a more militant way. The program is going to be effective in:

- 1) Organizing the unorganized;
- 2) protecting the members currently working under collective bargaining contracts where their employers decide to take away wages and conditions or go non-union, and
- 3) educating a good number of our members as to what a picket line is. Some members in Local 70 have never been on strike. They are not aware of the sacrifices those members on strike have to make. The day of service they give to Local 70 for picket duty will be a significant educational experience.

My thanks in particular to Dan Varela, Pete Gemma and Dennis Miller for taking their own time to put the proposal together—and to the 500-plus members who attended the meeting and voted by secret ballot to approve the program. Its passage surely strengthened Local 70's position.

Fraternally yours,
Chuck Mack
Secretary-Treasurer

Correction

The 16-10 vote by employees at the NLRB election at Grantree Furniture was erroneously identified as being "against representation" by Local 70 in the November issue of Local 70 News. It should have read "for representation" as indicated in the story's head and first sentence. We regret the error.

Rieker

(from Page A)

December, 1978 a decision was made in favor of Local 70; but computation of the back pay was remanded to Myers. Myers found in October that Rieker was entitled to back pay in the amount of \$10,200 and ordered that coporation to make such payment.

Attend Local 70 Meetings

LOCAL UNION 70, CITY OF OAKLAND, CA

Affiliated with
International Brotherhood of Teamsters, Chauffeurs,
Warehousemen and Helpers of America

Trustees Report

Period Covered: From October 1, 1979 to October 31, 1979

CASH RECEIVED

Dues	\$163,298.93
Initiation and Reinitiation Fees	13,815.00
Withdrawal and Transfer Cards	15.50
Assessments and Fines	2,713.65
Funds for Transmittal for Members	260.00
Receipts from Affiliates	3,075.00
Other Receipts	6,382.73
Total Cash Received	\$189,560.81

CASH PAID OUT

Salaries	57,411.30
Expense Allowances	4,790.00
Per Capita Taxes	32,385.28
Contributions	1,437.50
Benefits Paid	26,677.95
Funds for Transmittal for Members	306.50
Refunds—Dues	226.50
Refunds—Initiation and Reinitiation Fees	2,000.00
Refunds—Other	52.00
Office and Administrative	17,616.64
Legal Fees	1,000.00
Arbitrator Fees	1,700.62
Other Professional Fees	405.00
Taxes	2,544.04
Organizing Expenses	20.13
Meeting and Committee Expenses	244.38
Strike Expenses	65.20
Auto Expenses	3,369.72
Out-of-Town Travel Expenses	1,706.43
Other Activities	8,613.64
Total Paid Out	162,572.83

Net Increase (or Decrease) in Cash

Cash Balance Beginning of Period—General Fund—	
Checking Acc't.	118,929.27

CASH BALANCE END OF PERIOD—GENERAL FUND—	
CHECKING ACC'T.	\$145,917.25

STATEMENT OF ASSETS—PERIOD ENDING OCTOBER 31, 1979

	BEGINNING OF PERIOD	CHANGE	END OF PERIOD
General Fund—			
Checking Account	\$ 118,929.27	\$26,987.98	\$ 145,917.25
Petty Cash	550.00		550.00
General Fund—Sav.			
Acct.	17,240.63	238.68	17,479.31
General Fund—Certi-			
ficates of Deposit	300,000.00		300,000.00
Investments	5,000.00		5,000.00
Land	173,642.79		173,642.79
Buildings	481,525.00		481,525.00
Office Furniture and			
Equipment	11,836.70		11,836.70
Total Assets	1,108,724.39	27,226.66	1,135,951.05
Deduct: Obligations			
(Per List Below)	79,527.18	3,429.23	76,037.95
Net Assets	\$1,029,197.21	\$30,715.89	\$1,059,913.10

LIST OF OBLIGATIONS

DATE OF OBLIGATION	DESCRIPTION	DATE DUE	AMOUNT
9/1966	Building Mortgage	Monthly	\$ 76,037.95
Total			\$ 76,037.95

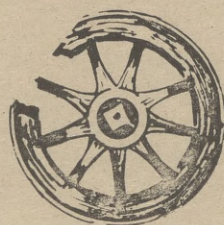
SCHEDULES

Item 9—Other Receipts	Amount
Sale of Supplies	\$ 104.50
Rent	1,370.00
Interest and Dividend	2,552.05
Expense Refunds	2,356.18
Total	\$ 6,382.73

Item 20—Benefits Paid	Amount
Out-of-Work Benefits Paid	\$ 3,535.00
Pension	5,252.80
Insurance—Group Life	8,940.50
Insurance—Health and Welfare	4,464.75
Sick Benefits	4,440.00
Retirees Dues	44.90
Total	\$ 26,677.95

Item 39—Other Activities	Amount
Education and Publicity	\$ 986.55
Stewards Expenses (other than dues)	119.45
Building Maintenance	3,267.08
Mortgage and Loan Payments (Principal Only)	3,489.23
Interest	430.77
Refunds to Affiliates	245.00
Picnic	75.56
Total	\$ 8,613.64

Item 8—Receipts from Affiliates	Amount
International Out-of-Work Benefits	\$ 3,075.00
Total	\$ 3,075.00



In Memoriam

NORMAN F. YANNKE, October 1.
HURLBUT A. SEARCY, October 7.
NATALIO TORRES, October 11.
ARTHUR L. SKIPWORTH, Octo-
ber 17.
WILLIS H. VANBUSKIRK, Octo-
ber 31.

This for YOU

Compensation Law explained

This is a summary of the rights and benefits under the California Workers' Compensation Law for an employee who suffers a work related illness or injury. It is written by Stewart N. Boxer, partner in the law firm of Boxer & Elkind which provides services and counsel to many Teamster locals and members.

by Stewart N. Boxer



The purpose of this summary is to acquaint Teamsters in Joint Council 7 and Joint Council 38 locals with their rights under the California Workers' Compensation laws.

Many employees from the private and public sector in California have been cut off from these benefits in the past because they failed to take the necessary steps to protect their rights.

Employers insured

An employer is compelled by law to provide workers' compensation benefits. Most employers are insured, which means that they pay premiums to an insurance company, which in turn provides the statutory benefits. Some large private employers are self-insured and thus provide the benefits from their own treasury. In such cases, the employer normally hires an adjusting agency to process the claims.

Naturally, we cannot hope to include everything related to the complex subject of workers' compensation in this memorandum. The best course of action for an ill or injured employee is to contact his union representative, who can then refer the employee to competent legal counsel.

This summary should be kept by each of you in an accessible place.

THE SCOPE OF THE CALIFORNIA WORKERS' COMPENSATION LAW

The Workers' Compensation Law in California provides that an employer is responsible for injuries to his employees regardless of fault. The injury or illness must arise out of and occur in the course of employment. Industrial injuries/illnesses may include, but are not limited to, physical injuries to the spine, head, and any extremity or joint, heart attacks, hernias, pneumonia, tuberculosis, hearing loss, vision loss, etc. What must be established is that the duties of the occupation caused a condition/disease, or aggravated a pre-existing condition/

disease so as to make it symptomatic, thereby resulting in disability and/or a need for medical treatment.

Trauma causes

Injury or illness may be caused by specific trauma or continuous trauma. Specific trauma arises out of a specific injury or illnesses that occur as a result of daily wear and tear on specific parts of the body such as the knees, back, neck, heart, lungs, hearing organs, etc. The nature of the duties of one's employment may put a stress and strain on these parts of the body and the cumulative effect could lead to disability and/or a need for medical treatment.

When an employee feels that the stresses and strains of the duties of employment may have left physical or mental/emotional impairment and disability requiring present or future medical care, a claim for benefits should be filed, even though no specific incident is responsible for the condition. The disabling effects of continuous trauma are recognized by many physicians and have been recognized by the Workers' Compensation Appeals Board in numerous cases.

Benefits

If an injury or illness arising out of and occurring in the course of one's employment is sustained, the employee may be entitled to certain benefits as provided by the California Workers' Compensation Laws. The benefits to which an employee may be entitled are explained below. Any questions pertaining to the employee's entitlement to these benefits can usually be answered by contacting the following persons:

1. The employee's immediate supervisor;
2. The employee's shop steward or business agent;
3. The attorney to whom the employee's business agent may have referred him.

Any work related injury or illness should be reported to the employer at the first reasonable opportunity. If a question arises as to whether or not the injury or illness is work-related, the employee should contact his union representative who can refer the employee to competent legal counsel.

WORKERS' COMPENSATION BENEFITS

The benefits available under the Labor Code to an employee who sustains injury or illness as a result of his employment are as follows:

1. **Temporary Disability**—payments at the rate of two-thirds of the employee's average

weekly earnings, with a maximum payment of \$154 per week, are made until the employee can return to work. Police officers, firefighters, and other public employees often have additional benefits which allow them to receive their full salary for a stated period of temporary disability. The Labor Code requires that temporary disability payments begin on the fourth day after the injured employee leaves work as a result of the injury; thus, there is a so-called "three day waiting period." However, if the employee is hospitalized as a result of the injury, the waiting period does not apply and temporary disability payments must begin immediately. In addition, if the employee is disabled for more than twenty-one days as a result of the injury, the waiting period does not apply and the employee is entitled to payment of temporary disability for the initial three days of disability on a retroactive basis.

SPECIAL REPORT

With respect to injuries that occurred prior to January 1, 1979, temporary disability payments can not be made for more than 240 weeks within a period of five years from the date of injury. With respect to injuries that occur on or after January 1, 1979, this 240 week limitation has been repealed.

2. Medical Treatment—

When an employee is injured or sustains illness as a result of his work, he is entitled to receive all necessary medical care, the full cost of such care to be paid by the employer or its insurance carrier. The employee has the right to receive medical care from the physician of his choice 30 days following the date that injury was reported to his employer. During this initial 30-day period, the employer has the right to designate the treating physician.

If, prior to sustaining a work injury or illness, the employee has filed a written statement with his employer identifying his personal family physician and making clear his desire to see this physician in the event he sustains a work injury or illness, the employee then has the right to see this personal family physician, at the employer's expense, immediately following the injury.

If the employer or its insurance carrier refuses to provide necessary medical treatment, after having been requested to

do so, the employee has the right to seek such medical treatment on his own and thereafter attempt to obtain reimbursement for his medical expenditures. In order to obtain such reimbursement, the employee will have to file a formal claim for workers' compensation benefits and will probably require the assistance of an attorney.

3. Permanent Disability

Benefits—If an employee sustains permanent disability as a result of a work injury or illness, he is entitled to certain permanent disability compensation benefits. The extent of permanent disability, which determines the amount of benefits, is based upon physical and/or mental/emotional restrictions caused by the injury that adversely effect the employee's ability to compete in the labor market. The degree of permanent disability is usually determined by medical evidence. This area of the workers' compensation law can be quite complicated, and the employee may require a competent attorney to assist him in obtaining the maximum compensation to which he is entitled.

4. Vocational Rehabilitation—

If the employee sustains permanent disability as a result of his work injury to the extent that he is unable to return to his usual occupation, he may be entitled to vocational rehabilitation benefits. Briefly, this means that the employer or its insurance carrier is responsible for the expense of retraining him for other employment not precluded by his disability. Because the permanent disability compensation is limited in its amount (paid at \$70 per week for a fixed number of weeks) and is not designed to compensate for past or future wage loss, the vocational rehabilitation benefit becomes extremely important.

5. Continuing Medical

Treatment—Depending upon the recommendations of the physicians who have treated or examined him, the employee may be entitled to continuing medical care at the employer's or insurance carrier's expense for any medical treatment reasonably necessary to cure or relieve the effects of his work injury.

6. Mileage Expenses—

Mileage reimbursement for all trips necessary to obtain medical care or in connection with vocational rehabilitation must be paid to employees at the rate of 14 cents per mile. The employee should keep a list of all trips, dates, destination and round trip mileage, and periodically submit

this list to the employer or insurance company.

7. Awards From Death

Benefits—Awards for a work related death from injury or illness (for example, heart attacks) may be made to spouses and dependents. The current maximum death benefit for a surviving spouse with one or more dependents is \$55,000 plus burial expenses up to a maximum of \$1500.

TIME LIMITS ON FILING WORKERS' COMPENSATION CLAIMS

Workers' compensation claims must be filed within certain time limits. An employee may lose his right to benefits if he or she fails to take appropriate action on a timely basis. The consequences and ramifications of the so-called statute of limitations are extremely difficult and complex. An employee should always obtain legal advice if he has any question in this area.

Generally, the employee should always file a claim, or at least seek legal counsel concerning his rights, immediately after an injury or learning of an illness. The employee has one year from the date of injury or illness to file a claim if treatment or other benefits have not been provided by the employer. Once the employer provides medical treatment and/or disability benefit payments, the employee has 5 years from the date of injury or illness to file a claim with the Workers' Compensation Appeals Board, or 1 year from the last date treatment or benefits were provided, if beyond the 5 year period. The statute of limitations for injuries or illnesses based on the continuous trauma theory (that is, those injuries or illnesses brought on by the stress and strain of the job duties over a period of time) commences to run on the first date of disability or the last day on the job. In addition, with respect to some medical conditions, the statute of limitations commences at the time the employee knows or should reasonably have known, of the industrial relationship. Again, because of the complexity of these time limitations on filing claims, an employee should obtain legal advice concerning his rights as soon as possible after sustaining an injury or illness that he feels may be related to his work.

THIRD PARTY CLAIMS

The area of third party claims for injury or illness is a dynamic and developing area of the law



BULLETIN BOARD



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Meetings and Notices

NOMINATIONS, ELECTIONS INTERNATIONAL CONSTITUTION

Adopted June 1976

The following applies to all nominations and elections in Teamster Locals:

To be eligible to nominate, a member must have his or her dues paid up on the last business day of the month prior to the nominating meeting, Article X, Section 5(c).

To be eligible for any office, a member must be in continuous good standing in the Local of which he or she is seeking office for a period of twenty-four (24) consecutive months prior to nomination for said office. "Continuous good standing" means compliance with the provisions of Article X, Section 5, concerning payment of dues for a period of twenty-four (24) consecutive months, together with no interruptions in active membership in the Local in which office is sought because of suspensions, expulsions, withdrawals, transfers or failure to pay fines or assessments. Article II, Section 4(a)(1).

A Local may in its bylaws require that, to be eligible for election to any office in that Local, a member must have attended a minimum number of the regular or divisional meetings of the Local, but not to exceed fifty percent (50%) during the twenty-four (24) consecutive months prior to nomination. Article II, Section 4(a)(2). (Not all Locals apply an attendance requirement. Check with your Local if you have any questions about its attendance requirement.)

Elected officers of the International, Local and other subordinate bodies shall be delegates to other subordinate bodies, International conventions, and all other conventions by virtue of their office and in accord with the applicable provisions of the International Constitution and the bylaws of such other subordinate bodies. Article II, Section 4(g).

All officers and business agents elected in accord with Article XXII (governing Local elections) shall by virtue of such election be delegates to any International convention which may take place during their term of office. Article III, Section 5(a)(1).

Locals having scheduled nominations and elections are indicated below. Also listed for each Local is any special regulation regarding nominations, eligibility, or election. Check with your Local if you have any questions regarding its requirements.

Joint Council 7

The January meeting has been cancelled due to the New Year's Day holiday.

The February meeting will be held Tuesday, February 5, at 8 p.m., at 399 Fremont Street, San Francisco.

Local 12, San Francisco

December 12, Wednesday, and January 9, Wednesday, at 8 p.m., 47 Lansing Street, San Francisco.

George Harrington, Secretary-Treasurer

Local 78, Oakland

December 17, Monday, and January 28, Monday, at 8 p.m., 8055 Collins Drive, Oakland.

William F. York, Secretary-Treasurer

Local 109, San Francisco

There will be no meetings in December or January.

T. Marron Pisani, Secretary-Treasurer

Local 216, South San Francisco

December 12, Wednesday, and January 9, Wednesday, at 8 p.m., Santo Christo Hall, 41 Oak Street, South San Francisco.

Dallas Craig, Secretary-Treasurer

Local 241, San Francisco

December 18, Tuesday, and January 22, Tuesday, at 8 p.m., 43 Lansing Street, San Francisco.

James E. Kincaid, Secretary-Treasurer

Local 265, San Francisco

December 13, Thursday, and January 10, Thursday, at 7 p.m., 337 Valencia Street, San Francisco.

Robert Simcox, Secretary-Treasurer

Local 278, San Francisco

December 18, Tuesday, and January 15, Tuesday, at 8 p.m., 50 Eighth Street, San Francisco.

Elections to be held on Thursday, December 20. Polls open from 6 a.m. to 9 p.m. at Local office, 4752 Mission Street, Suite 101, San Francisco.

Jack Bookter, Secretary-Treasurer

Local 287, San Jose

December 11, Tuesday, and January 8, Tuesday, at 8 p.m., 1452 N. Fourth Street, San Jose.

Election of officers on Monday, December 17, and Tuesday, December 18, from 7 a.m. to 8 p.m., at 1452 N. Fourth Street, San Jose, will include the office of Dispatcher. All officers will be elected for three-year terms.

Robert Spisak, Secretary-Treasurer

Local 296, San Jose

December 27, Thursday, and January 24, Thursday, at 8 p.m., 3275 Stevens Creek Blvd., San Jose.

Henry deDiego, Secretary-Treasurer

Local 302, Oakland

December 18, Tuesday, and January 15, Tuesday, at 8 p.m., 2315 Valdez Street, Oakland.

Daniel Sullivan, Secretary-Treasurer

Local 315, Martinez

December 12, Wednesday, and January 9, Wednesday, at 8 p.m., 2727 Alhambra Avenue, Martinez.

Loren D. Thompson, Secretary-Treasurer

Local 350, San Francisco

December 13, Thursday, at 7 p.m., Electricians Hall, 55 Fillmore Street, San Francisco. December 26, Thursday at 7 p.m., 1452 N. Fourth Street, San Jose.

Robert Morales, Secretary-Treasurer

Local 432, Oakland

December 11, Tuesday, and January 8, Tuesday, at 7 p.m., 2315 Valdez Street, Oakland.

Paul Vinella, Secretary-Treasurer

Local 468, Oakland

December 16, Sunday, at 10 a.m., and January 28, Monday, at 10 a.m., both at 8055 Collins Drive, Oakland.

M. H. Joseph, Secretary-Treasurer

Local 484, San Francisco

Election of Officers will be held Tuesday, December 11. There is a contest for the office of Assistant Business Agent No. 2. All other officers were elected without opposition. The polls will be open between 1 p.m. and 8 p.m., at Sailor's Hall, 450 Harrison Street, San Francisco.

Joseph J. Ault, Secretary

Local 490, Vallejo

December 11, Tuesday, and January 8, Tuesday, at 8 p.m., 445 Nebraska Street, Vallejo.

Raymond L. Brown, Secretary-Treasurer

Local 576, Santa Clara

December 19, Wednesday, at 8 p.m., 1405 Civic Center Drive, Suite 4A, Santa Clara.

Louis D. Riga, Secretary-Treasurer

Local 588, Oakland

December 20, Thursday, and January 17, Thursday, at 8 p.m., 8055 Collins Drive, Oakland.

Fred Paredes, Secretary-Treasurer

Local 624, Novato

December 18, Tuesday, and January 15, Tuesday, at 2 p.m., and 8 p.m., 864 Grand Ave., Novato.

William E. Hampton, Secretary-Treasurer

Local 655, Redwood City

December 13, Tuesday at 8 p.m., 1749 Broadway, Redwood City.

Ken Hill, Secretary-Treasurer

Local 665, San Francisco

December 17, Monday, and January 28, Monday, at 8 p.m., 480 Valencia Street, San Francisco.

Frank M. Burt, Secretary-Treasurer

Local 853, Oakland

December 13, Thursday, and January 10, Thursday, at 8 p.m., 8055 Collins Drive, Oakland.

Al Costa, Secretary-Treasurer

Local 856, San Francisco

The regular membership meeting for December has been cancelled. In lieu of this meeting, there will be a SPECIAL 30th ANNIVERSARY CHRISTMAS PARTY for Local 856 members and their children on December 15 at the Circle Star Theatre. Invitations mailed in November give the place, time and date. YOU MUST PRESENT YOUR INVITATION FOR ADMISSION TO THE PARTY.

The calendar of meetings for 1980 will be in the January, 1980 newspaper.

Rudy Tham, Secretary-Treasurer

Local 860, San Francisco

December 12, Wednesday, at 6 p.m., 1139 Mission Street, San Francisco.

Members will be notified of January meeting date.

Robert Paterson, Secretary-Treasurer

Local 970, San Francisco

December 18, Tuesday, and January 15, Tuesday, at 8 p.m., 43 Lansing Street, San Francisco.

Rudy Ortega, Secretary-Treasurer

Joint Council 38

The December delegates meeting has been cancelled due to its Christmas Holiday.

Norbert (Nobby) Miller, President

Local 94, Visalia

December 13, Thursday, and January 10, Thursday, at 8 p.m., 609 West Center Street, Visalia.

Everett C. Hupp, Secretary-Treasurer

Local 137, Redding

Eureka: December 11, Tuesday, and January 8, Tuesday, at 7:30 p.m., 3348 Jacobs Avenue.

Redding: December 17, Monday, and January 21, Monday, at 7:30 p.m., 3540 South Market Street.

Marysville: December 7, Friday, and January 4, Friday, at 7:30 p.m., 1303 F Street.

Frank M. Wood, Jr., Secretary-Treasurer

Local 150, Sacramento

December 5, Wednesday, and January 2, Wednesday at 7:30 p.m., 2245 Florian Road, Sacramento.

Al Bonilla, Secretary-Treasurer

Local 439, Stockton

December 19, Wednesday, and January 16, Wednesday, at 8 p.m., 1531 Fremont Street, Stockton.

Ace C. Hatten, President
Robert D. Plummer, Secretary-Treasurer

Local 679, San Jose

December 20, Thursday, and January 3, Thursday, at 8 p.m., 124 Race Street, San Jose.

James R. Henry, Secretary-Treasurer

Local 750

December 7, Friday, and January 4, Friday, at 8 p.m., 266 17th Street, Oakland.

Freddy F. Sanchez, Secretary-Treasurer

The Legal Corner

by Beeson, Tayer, Kovach & Silbert (in Sacramento, & Bodine)

ARBITRATION (Part 2)

The major problem in the grievance-arbitration procedure is employer delay. There are several points at which an employer can delay simply by dragging its feet. While there are mechanisms to force a choice of arbitrator, the employer can delay the procedure for a month or more just by refusing to agree upon an arbitrator. In addition, the more popular Bay Area arbitrators are so busy that the earliest dates they have available for hearings may be one to two months in the future. Thus even speedy agreement on an arbitrator may leave two months until the case is heard.

Transcripts demand

Other problems involve attempts by employer attorneys to

"formalize" and "legalize" the arbitration hearing. More and more often, employer attorneys are demanding verbatim transcripts of arbitration hearings and the opportunity to present a written brief to the arbitrator arguing the merits of their cases. This has two serious consequences. First, it's expensive. Court reporter fees, including the cost of the transcript, can easily approach a couple of hundred dollars a day. If the employer files a written argument, often the union's attorney must also—if only to make sure that lack of a brief does not prejudice the union's position.

Second and more important, requiring a transcript and a brief can often add a month or more to the time it takes to get a decision from the arbitrator. The longer

the hearing, the longer it takes for the court reporter to type the testimony. One day's hearing can run to 150 typewritten pages of testimony. The transcript can take 10 days to two or more weeks to prepare. On top of this, the employer's attorney will want 10 days at a minimum, and three weeks if the hearing lasts more than one day, to file a written brief. Then of course the arbitrator must read the briefs and write a decision, further increasing the delay.

Named arbitrator

To avoid these problems, unions have invented several new procedures. Naming the arbitrator or specifying a list of arbitrators eliminated delay in selection. Under several

Page 8

We Do Not Patronize

Teamsters and their friends are urged not to patronize the following firms because they are currently involved in a labor dispute:

ALBANY
Goodyear

BENICIA
Lutz Tire Co.

DUNNIGAN
Bosses Dunnigan Truck Service

EUREKA
Humboldt Fir Co., Inc., Hoopa
S & W Cab Co., McKinleyville

MARYSVILLE-YUBA CITY
Cortina Ready Mix
Yuba Sand and Gravel
7-UP
Pepsi-Cola
Stash and Rausser Distributors
Cressey Beverage

MONTEREY
Pyramid Van & Storage

NAPA
Kenyon Building Supply
Heinke and Dybdahl Building Supply

NEWARK
Semperit Pacific Tires
Gerard Tire Co.

OAKLAND
A Tire & Brake
Bay Vulcanizer Co.
Yellow Cab Co.
ARA Tire Co.
George Orin Tires
Luxury Cab Co.

REDDING
Redding Tire
Sierra Tire
Foothill Distributors

SACRAMENTO
Courtesy Cab
Coca-Cola
Pepsi-Cola
Capital Plywood
Super Tread Tire Co.
Broadway Tire Service
Coit Draperies
Pop Pies
Hires Bottling
Pixie Bread
Hite's Dairy
Party Pies
Canada Dry Products
Booster Bread
Pacific Tire
Radial Tire & Radial Recapping

SAN FRANCISCO
D'Angelo & Son (724 Ellis Street)
Light Soda on Tap
San Francisco Ambulance Service
Currian's Chapel of the Sunset
Smith Corona Marchant Corp.
W.W. Gainger Co.
Monroe Motors
Coit Drapery Cleaners
Park Lane Cleaners
French Drapery
Keith's Tire Centers
Corard Tire Service
Dy Doe Wash Co.
U.S. Messenger Service
Aero Messenger Service
Special T
Mail Delivery Service
Redco Delivery Service
Armored Transport Co.
Melody Paint Co.
Yellow-Cab
3rd Street Auto Supply
Lacquer Service
Campbell Auto Parts
Cresta Bros.
The Safety House
Scenic Tours Bus Co.
Trans-Cal Bus Co.

SAN LEANDRO
Toyo Tire
Air Treads
George Orin Tires
City Cab Co.
Bankers Printco Co.

SAN PABLO
Goodyear

SANGER
Glancier Packing Corp.

SANTA ROSA
Coors Beer

STOCKTON
Darwin Farms

YOUNTVILLE
Knight's Lumber

BAY AREA
Gerard Tire Service
Big "O" Tires
Consumers Tire

CONTRA COSTA COUNTY
Cadillac Ambulance

EAST BAY
Gateway Bus Company
Big "O" Tires, Richmond,
Martinez, Hayward and
Oakland
Checker Cab Co.
Associated Cabs
Reliable Cab Co.

Country Maid Creamery Products
Roberts Tire Co.
Chapel of the Chimes
Daily Review
Smiser Freight Services
Jess C. Spencer Mortuary
Patron Service, Berkeley
Chapel of the Valley
Mortuary, Castro Valley
Town and Country Cleaners, Hayward
Harvey's Catering
Woods Catering
Mobile Vendors
Keith's Tire Center

HUMBOLDT and DEL NORTE COUNTIES

Life and Times magazines
Tri City newspaper
Arcata Union newspaper
Humboldt Beacon newspaper

MARIN COUNTY

Empire Sanitation

PENINSULA
Parts Exchange (Partex), So. San Francisco
Commercial Tire Warehouse
A-1 Sanitation, So. San Francisco
Tire Master, Inc.
Howard Tire Service
Crown Imports Co., Inc.
Coit Drapery Cleaners, Burlingame
Dydee Wash & Co., So. San Francisco

SANTA CLARA COUNTY

All Jersey
Gilroy Motors
Pixie and Boster Bread Co.
Tire Outlet
Brentwood Farms
General Applicances Co.
Golden Home Furnishing
Discount Furniture Co.
Garrard Tire Co.
Fernstrom Moving & Storage
Servi Soft, San Jose
Able Label Tire Co., "d-b-a"
Emporium Tire Center
American Auto Parts
Marx Chevrolet
Keith's Tire Center
California Cheese Co.
Parola Cheese Co.

SONOMA COUNTY

Groskup-Weider Trucking Co.
Empire Sanitation

STATEWIDE

Kennedy Enterprise
M. & M. Bus Co., California
Sightseeing Tours
Senor Foods
Kiasco Products

IN MEMORIAM

Joint Council 7 and Joint Council 38 officers extend condolences to the families and friends of the following Teamster members who died recently:

BANDUCCI, MARY, Local 750, Oakland, October 20.
HARRIS, MARY, Local 750, October 30.
LOPEZ, AUGUST, Local 750, October 30.
NERI, IGNACIO, Local 750, October 7.
OLDFIELD, JESSIE, Local 750, September 30.
SIMMONS, JAMES, Local 750, October 13.
WASHINGTON, FLOSSIE, Local 750, September 15.
DUQUE, JEAN, Local 226, San Francisco, November 2.
SULLIVAN, FRANK PATRICK, Local 665, San Francisco, November 9.
ANDERSON, BETTY, Local 265, San Francisco, October.
O'CONNOR, FRANK, Local 265, October.
TRAYER, LOGAN, Local 265, October.
LANGSHAW, GEORGE, Local 921, San Francisco, November 6.
FERRARI, JOSEPH, Local 484, November 12.
PETRICKA, BEN, Local 484, November 5.
BAUMAN, RICHARD, Local 624, Novato, November 1.
GALVIN, CARLOS, Local 576, Santa Clara, November 2.
LEGROSS, HENRY, Local 468, Oakland, October 18.
SINGLETORE, THEODORE, Local 468, October 15.

BOWER, HAROLD, South San Francisco, Local 216, October 15.
ANDERSON, GEORGE, Local 432, Oakland, October 29.
LOUGHAN, KENNETH, Local 432, November 2.
BLATT, SAM, Local 296, San Jose, October 29.
WOLFE, JOHN, Local 296, October 31.
WILLIEBRANDS, FRANK, Local 302, Oakland, November.
GRACE, WALTER, Local 85, San Francisco, October 1.
HARTJE, HERMAN, Local 85, October 16.
HAWKINS, ROBERT, Local 85, October 12.
KOCHER, HARVEY, Local 85, October 7.
MUNSON, JACK, Local 85, October 8.
OLIVO, DAVID, Local 85, October 15.
PETER, JULIUS, Local 85, October 5.
VINCENT, EDGAR, Local 85, September 30.
WHEELER, MARVIN, Local 85, October 2.
KING, EVERETT, Local 853, Oakland, October 13.
RAMIRES, WALTER, Local 853, November 4.
VAN HOOK, SAMUEL, Local 853, October 26.
SMITH, DONALD, Local 856, November 2.

Publisher's Notice

Date of Filing 11/13/79
Publication No. USPS 395880

The Northern California Teamster Newspaper is published monthly by Joint Council 7 & 38, 25 Taylor St., San Francisco, CA 94102. The editor's name and address is Jerry Flamm, 25 Taylor Street, San Francisco CA 94102. Owner is Joint Council 7 & 38, 25 Taylor St., San Francisco CA 94102. The publication has no stockholders and no bondholders.

The average number of copies of each issue during the preceding 12 months breaks down as follows: total number of copies printed 102,800; mail subscriptions: 101,800; Paid circulation through sales, dealers, carriers, etc., none. Total paid circulation: 101,800; Free distribution by mail, carrier or other means, including samples, complimentary, and other free copies: none. Total distribution: 101,800. Copies not distributed—office use, leftover, unaccounted, spoiled after printing: 1000; returns from news agents: none. Total: 102,800.

The actual number of copies of single issue published nearest to filing date involve the following figures: total number of copies printed (net press run), 101,000; paid circulation: sales through dealers and carriers, street vendors and counter sales, none; mail subscriptions, 100,000; total paid circulation, 100,000; free distribution by mail, carrier or other means including samples, complimentary, and other free copies, none; total distribution, 100,000; copies not distributed—office use, leftover, unaccounted, spoiled after printing, 1000; returns from news agents, none; total 101,000.

I certify that the statements made by me above are correct and complete.

/s/ JERRY FLAMM

Legal

(from Page 7)

agreements, the named arbitrator has set aside one or two days a month for hearing disputes under that agreement. This eliminates the problem of finding a date for the arbitration hearing. Other agreements limit the use of court reporters and transcripts. Still others limit or eliminate the use of written briefs. Some require decisions by the arbitrator with a short, fixed period of time, or even require an oral decision at the close of hearing.

The quickest and most efficient systems incorporate all these innovations. Under the Cannery agreement, for example, the parties meet one day each month before the permanent arbitrator, Adolph Koven. There is no transcript and no written brief. Although the parties may request a written decision, most decisions are rendered orally at the close of the hearing. Discharge cases have priority.

Advantages

The procedure under the Heavy, Highway Building and Construction Master Agreement allows the arbitrator, Robert Burns, to sit with the board of adjustment. The arbitrator does not participate if the board reaches a majority decision. If the board deadlocks, however, the arbitrator renders, on the spot, a final and binding decision. The agreement further provides that "no attorneys shall be utilized except if purely legal issues are involved."

Only way

These new procedures obviously strengthen the available protections tremendously. Because of this, employers often strenuously oppose adding them to the collective bargaining agreement. Of course negotiations are the only way to obtain these new procedures. The employer's reluctance to agree to these procedures can be effectively met only by a united union. Consequently, the union can obtain these new protections only with the determined support of each and every member.

Ruling

(from Page 1)

Clear right

Arbitrator Levy held that the contract language was "clear and unambiguous" in giving employees the "right to refuse to enter property involved in a lawful primary labor dispute," as well as the "right to refuse to go through or work behind any lawful picket line."

Salido said, "We urge all unions and members to protect this language because the picket line is one of the few strengths we have left."



SET 'EM UP! — These wives of Local 490 members bowl every Friday morning at the Vaca Bowl in Vacaville. They are among the 48 Teamster wives forming twelve teams in the Local Women's Bowling League. Left to right are: Norma Dedrick, Barbara Newberry, Lynda Lydon, Marilyn Mendoza, and Sally Bender.

Deregulation

(from Page 1)

Mack told the Committee that deregulation was a road leading nowhere. It would have a devastating impact on the consuming public by raising freight rates, stifling service to small communities, creating additional safety hazards on the roadway, squandering the already scarce energy resources of our country, and causing dislocations, layoffs and unemployment among Teamster members, he said.

Rebuttal

In response to assertions made by P.U.C. Commissioner Dick Gravelle that there had been no deterioration of service in the state of California since deregulation discussions have been ongoing at the Public Utilities Commission, Mack advised the Senate Committee that truck service—especially to outlying and rural areas—has been impacted negatively. He pointed to the examples of Delta, California Motor Express, and Pacific Motor Trucking as companies that have either eliminated service or reduced service in and out of rural areas.

Seek profits

Mack also blasted major shippers for their support of the bill. He charged that they were supporting such legislation because a deregulated industry would give them the ability to dictate freight rates; then, if the rates are lowered, they will be able to pocket the difference for excessive profits.

Mack also urged that Congress consider the effects that deregulation could have on the Teamsters' National Master Freight Agreement and the more than 300,000 Teamster members who work under it. Cut-throat competition that would lead to industry instability and even eventual consolidation would throw many thousands of Teamsters out of work and cost them their Health & Welfare and

Pension benefits, he warned.

The Cannon hearing in San Francisco was one of several being conducted around the country to determine the public's thinking on this all-important issue. Cannon said he was hopeful he would have some legislation in hand prior to June of 1980.

JC 7 asks for support

The following resolution was approved last month by Joint Council 7 delegates and sent to all AFL-CIO Labor Councils in California for support and approval.

"The matter of deregulation in the trucking industry is vitally important to all organized labor," the accompanying letter noted.

RESOLUTION TRUCKING DEREGULATION

Whereas, various interests on the National and the California level are attempting to deregulate the trucking industry; and

Whereas, if successful, such deregulation will open the doors to scab and gypsy operators to move into the transportation industry and to have a major impact on wages, reducing hours and working conditions of union drivers, warehouse, production, service and office workers; and

Whereas, the ultimate effect will be the elimination of a substantial number of union jobs for organized labor generally; and

Whereas, the effectiveness of many picket lines and the success of strikes will be seriously undermined when scab and gypsy drivers as a result of deregulation make pick-up and deliveries at struck facilities,

Now, therefore, be it resolved, that Organized Labor, including individual union members, take vigorous action

Compensation (from Page 5)

which requires competent legal counsel experienced in the area of industrial personal injury and illness. Often an employee loses his rights to substantial damages by failing to take appropriate timely action. So-called third-party claims arise when an on the job injury is caused by the negligence of a third party (for example, a party other than the employer, employee or fellow employee), or by a defective product made by such a third party. The injured employee must file a civil action in court within one year from the date of injury, or his claim will be barred. Workers' compensation benefits will be received from the employer as well, but the employer is entitled to join the employee in the civil action in an attempt to recover its loss for workers' compensation benefits provided the employee.

The ultimate benefits from a civil action often substantially exceed the workers' compensation benefits. The employee may recover damages for past and future wage loss, pain and suffering, emotional distress and loss of consortium in a civil action, but not in a workers' compensation claim. The combination of a workers' compensation claim and a third party personal injury claim can and does get quite involved. It is important that the two cases be coordinated so that the best results are achieved and the employee's rights are fully protected.

OFF DUTY INJURIES

Injuries suffered during athletic events and physical fitness programs have caused controversy about the employer's liability for compensation benefits. The law provides generally that an employer will be liable whenever the employee is required to take part in such activity or when the employer derives some benefit from the employee's participation. An employer generally accepts liability where it approved the physical fitness program, or when it sponsored the athletic event. It is wise for an employee to check with the employer before participation in any off duty or off premises program or event to ascertain whether the employer will provide workers' compensation benefits if the employee is injured.

We hope that the foregoing material will aid you in understanding your rights under the law concerning industrial injuries and illnesses. Again, this material is meant only to be informative in a general way, since the specifics of the law are continuously changing. Each case is different and the injured employee should obtain competent legal counsel for advice concerning the specifics of his case as soon as possible following the occurrence of his injury.

Republicans

Governors on the ball

Frank E. Fitzsimmons, General President of the International Brotherhood of Teamsters, recently commended the nation's Republican Governors for unanimously adopting a resolution to preserve trucking regulation at the Republican Governor's Conference, held in Austin, Texas.

Commenting on the resolution "to preserve equitable, dependable and uniform transportation service," Fitzsimmons stated, "We at the Teamsters are delighted that the Republican governors saw fit to give the issue of deregulation priority at their conference, and we commend them."

to prevent deregulation in the trucking industry by making their sentiments known to the members of the California State Legislature, the Governor, the California Public Utilities Commission, the Congress and the President of the United States.

Al Bradley

Mock lauds organizer

The recent death of H. L. (Al) Bradley, former Secretary-Treasurer of Bakersfield Teamster Local 87, brought praise for the late retired Teamster from International Vice President George E. Mock.

Mock noted that Bradley had worked throughout California since the late thirties when he started organizing laundry workers and drivers in the Los Angeles area. He later did organizing work in the desert areas in Southern California for Joint Council 42 before joining General Warehouse Local 598. He then transferred from Los Angeles to the Valley area. He subsequently worked as an organizer for Joint Council 38 during the early disputes in the farming industry.

Bradley had recently retired and moved to Florida. "Bradley was well-liked by many Teamster officials and members," Mock said. "We are extremely sorry to hear of his passing."